

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

RESIDENTIAL FUNDING COMPANY, LLC,

Plaintiff,

v.

ORDER

Civil File No. 13-3517 (MJD/JSM)

TERRACE MORTGAGE COMPANY,

Defendant.

David Elsberg and Peter E. Calamari, Quinn Emanuel Urquhart & Sullivan LLP, Donald G. Heeman and Jessica J. Nelson, Felhaber Larson, Jeffrey A. Lipps and Jennifer A.L. Battle, Carpenter Lipps & Leland LLP, Counsel for Plaintiff.

Aaron P.M. Tady and Thomas M. Barton, Coles Barton LLP, C.J. Schoenwetter and John D. Sear, Bowman & Brooke LLP, Counsel for Defendant.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron, dated May 30, 2014. [Docket No. 67] Defendant filed objections to the Report and Recommendation. [Docket No. 70]

Pursuant to statute, the Court has conducted a de novo review upon the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the

Court adopts the Report and Recommendation of United States Magistrate Judge Mayeron dated May 30, 2014.

Accordingly, based upon the files, records, and proceedings herein, **IT IS**
HEREBY ORDERED:

1. The Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated May 30, 2014 [Docket No. 67].
2. Defendant's Motion to Dismiss Plaintiff's First Amended Complaint [Docket No. 45] is **DENIED**.

Dated: August 12, 2014

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court